



CITY OF WESTFIELD, IN
BoardofZoningAppeals_Meeting_Agenda_05_14_2019

Tuesday, May 14, 2019 at 07:00 PM

BOARD OR COMMISSION: Board of Zoning Appeals (BZA)

MEETING DATE: Tuesday, May 14, 2019 at 07:00 PM

MEETING PLACE: Westfield City Hall, 130 Penn Street, Westfield, IN 46074

THE FOLLOWING AGENDA IS SUBJECT TO CHANGE AT THE DISCRETION OF THE BOARD OF ZONING APPEALS

OPENING OF REGULAR MEETING

Note the presence of a quorum

Approval of Minutes - April 9, 2019

Documents: [BZA Minutes - April 9, 2019](#)

Review Rules & Procedures

ITEMS OF BUSINESS:

1905-VS-08 [PUBLIC HEARING]

14950 Little Eagle Creek Avenue

Diane Lorant by Smith, Lake & Waters

The petitioner is requesting Variances of Development Standard to reduce the Minimum Front Setback and Maximum Accessory Building Height in the AG-SF1: Agriculture / Single-Family Rural District. (Articles 6.1(D)(2)(a) and 6.1(F)).

(Planner: Caleb Ernest - CErnest@westfield.in.gov)

Documents: [Exhibit 1: Staff Report](#) | [Exhibit 2: Location Map](#) | [Exhibit 3: Site Plan](#) | [Exhibit 4: Existing Conditions](#) | [Exhibit 5: Neighbor Conditions](#) | [Exhibit 6: Proposed Elevations](#)

1905-VS-09 [PUBLIC HEARING]

207 East 191st Street

Caitlin O'Dougherty

The petitioner is Variances of Development Standard to reduce the Minimum Lot Area, Minimum Lot Frontage, and Minimum Front Yard Building Setback Line in the AG-SF1: Agriculture / Single-Family Rural District. (Articles 4.2(C), 4.2(D), 4.2(E)(1)(a)).

(Planner: Caleb Ernest - CErnest@westfield.in.gov)

Documents: [Exhibit 1: Staff Report](#) | [Exhibit 2: Location Map](#) | [Exhibit 3: Proposed Plat](#) | [Exhibit 4: Concept Plan](#) | [Exhibit 5: Concept Building](#)

ITEMS CONTINUED TO A FUTURE MEETING:

1803-AA-01[CONTINUED]

16708 Dean Road (Bob's Garage)

Esler Properties, LLC by Morse & Bickel, P.C.

The petitioner is appealing an Administrative Determination (1712-AD-04) regarding the revocation of a variance (1603-VU-03).

(Planner: Pam Howard - PHoward@westfield.in.gov)

REPORTS/COMMENTS:

Plan Commission Liaison

Economic and Community Development Department

ADJOURNMENT



WESTFIELD-WASHINGTON TOWNSHIP
BOARD OF ZONING APPEALS

May 14, 2019
1905-VS-08
Exhibit 1

Petition Number: 1905-VS-08

Subject Site Address: 14950 Little Eagle Creek Ave. (the "Property")

Petitioner: Diane Lorant (the "Petitioner")

Request: The Petitioner is requesting Variances of Development Standard to reduce the Front Yard Setback of an Accessory Building and increase the Maximum Accessory Building Height in the AG-SF1: Agriculture / Single-Family Rural District (Article 13.2 & 4.22(B)).

Current Zoning: AG-SF1: Agriculture / Single-Family Rural District

Current Land Use: Residential

Approximate Acreage: 10.0 acres +/-

Exhibits:

1. Staff Report
2. Location Map
3. Site Plan
4. Existing Conditions
5. Neighbor Conditions
6. Proposed Elevations

Staff Reviewer: Caleb Ernest, Associate Planner

OVERVIEW

Location: The subject property is 10.0 acres +/- in size and located at 14950 Little Eagle Creek Avenue (see **Exhibit 2**). The Property is zoned the AG-SF1: Agriculture / Single-Family Rural District. The Property currently contains a single-family home. All surrounding properties are also zoned the AG-SF1 District.

Variance Requests: The Petitioner is requesting these variances to allow an Accessory Building¹ to be constructed in the Established Front Yard², as generally illustrated on the Site Plan (see

¹ Chapter 12 of the UDO defines "Building, Accessory" as "[a] subordinate building or structure, the use of which is incidental to and customary in connection with the Principal Building or use and which is located on the same Lot with such Principal Building or use and is under the same ownership. Buildings which are portable and do not have permanent foundations are also classified as Accessory Buildings, but shall not require an Improvement Location Permit."

² Chapter 12 of the UDO defines "Yard, Established Front" as "A Yard extending across the full width of the Lot between the Principal Building, as built, and the Front Lot Line, the depth of which is the least distance between the Front Lot Line and the Principal Building."

Exhibit 3) and increase the Maximum Accessory Building Height³, as generally illustrated on the Proposed Elevations (see **Exhibit 6**).

SUMMARY OF VARIANCES

The Petitioner is requesting these variances to allow an Accessory Building to be constructed in the Front Yard Setback, as generally illustrated on the Site Plan (see **Exhibit 3**) and increase the Maximum Accessory Building Height, as generally illustrated on the Proposed Elevations (see **Exhibit 6**) and as further described below:

- 1) The variance is requesting that Section 6.1(D)(2)(a) shall not apply to the Property. Instead, the structure shall be placed in substantial compliance as shown in the exhibit (see **Exhibit 3**);
 - 2) The Maximum Accessory Building Height is eighteen (18) feet. The variance is requesting to increase the proposed Accessory Building height to approximately thirty (30) feet.
-

COMPREHENSIVE PLAN

The Westfield-Washington Township Comprehensive Plan identifies this property within the “Existing Rural Southwest” land use classification.

PROCEDURAL

Public Notice: The Board of Zoning Appeals is required to hold a public hearing on its consideration of Variances of Development Standard. This petition is scheduled to receive its public hearing at the May 14, 2019, Board of Zoning Appeals meeting. Notice of the public hearing was properly advertised in accordance with Indiana law and the Board of Zoning Appeals’ Rules of Procedure.

Conditions: The UDO⁴ and Indiana law provide that the Board of Zoning Appeals may impose reasonable conditions and limitations concerning use, construction, character, location, landscaping, screening, and other matters relating to the purposes and objectives of the UDO upon any Lot benefited by a variance as may be necessary or appropriate to prevent or minimize adverse effects upon other property and improvements in the vicinity of the subject Lot or upon public facilities and services. Such conditions shall be expressly set forth in the order granting the variance.

³ Chapter 12 of the UDO defines “Building Height” as “The vertical distance measured from the lot ground level to the highest point of the roof for a flat roof (or the top of the parapet wall, if provided); to the deck line of a mansard roof; and to the mean height between eaves and ridges for gable, hip and gambrel roof.”

⁴ Article 10.14(l) Processes and Permits; Variances; Conditions of the UDO.

Acknowledgement of Variance: If the Board of Zoning Appeals approves this petition, then the UDO⁵ requires that the approval of the variance shall be memorialized in an acknowledgement of variance instrument prepared by the Department. The acknowledgement shall: (i) specify the granted variance and any commitments made or conditions imposed in granting of the variance; (ii) be signed by the Director, Property Owner and Applicant (if Applicant is different than Property Owner); and (iii) be recorded against the subject property in the Office of the Recorder of Hamilton County, Indiana. A copy of the recorded acknowledgement shall be provided to the Department prior to the issuance of any subsequent permit or commencement of uses pursuant to the granted variance.

Variances of Development Standard: The Board of Zoning Appeals shall approve or deny variances from the development standards (such as height, bulk, or area) of the underlying zoning ordinance. A variance may be approved under Indiana Code § 36-7-4-918.5 only upon a determination in writing that:

1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community;
2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner; and
3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the subject property.

[SEE FOLLOWING PAGES FOR DEPARTMENT COMMENTS]

⁵ Article 10.14(K) Processes and Permits; Variances; Acknowledgement of Variance of the UDO.

DEPARTMENT COMMENTS

Approval: If the Board is inclined to approve the variances, then the Department recommends the following findings:

Recommended Findings for Approval of the Variance of Development Standard:

1. *The approval will not be injurious to the public health, safety, morals, and general welfare of the community:*

Finding: It is unlikely that approving the requested variance(s) would be injurious to the public health, safety, morals, and general welfare of the community as the proposed location of the building is consistent with surrounding properties (see **Exhibit 5**) and the use of the property will not change.

2. *The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner:*

Finding: It is unlikely the use and value of adjacent property will be affected in a substantially adverse manner. The dwelling will retain its use as a Single-family Dwelling which is consistent with the surrounding properties.

3. *The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the subject property.*

Finding: Strict adherence to the zoning ordinance would result in the inability to improve the property, as proposed, in accordance with the Unified Development Ordinance. The proposed Accessory Building cannot be located anywhere on the Property other than what is proposed because of existing site conditions (see **Exhibits 3 and 4**).

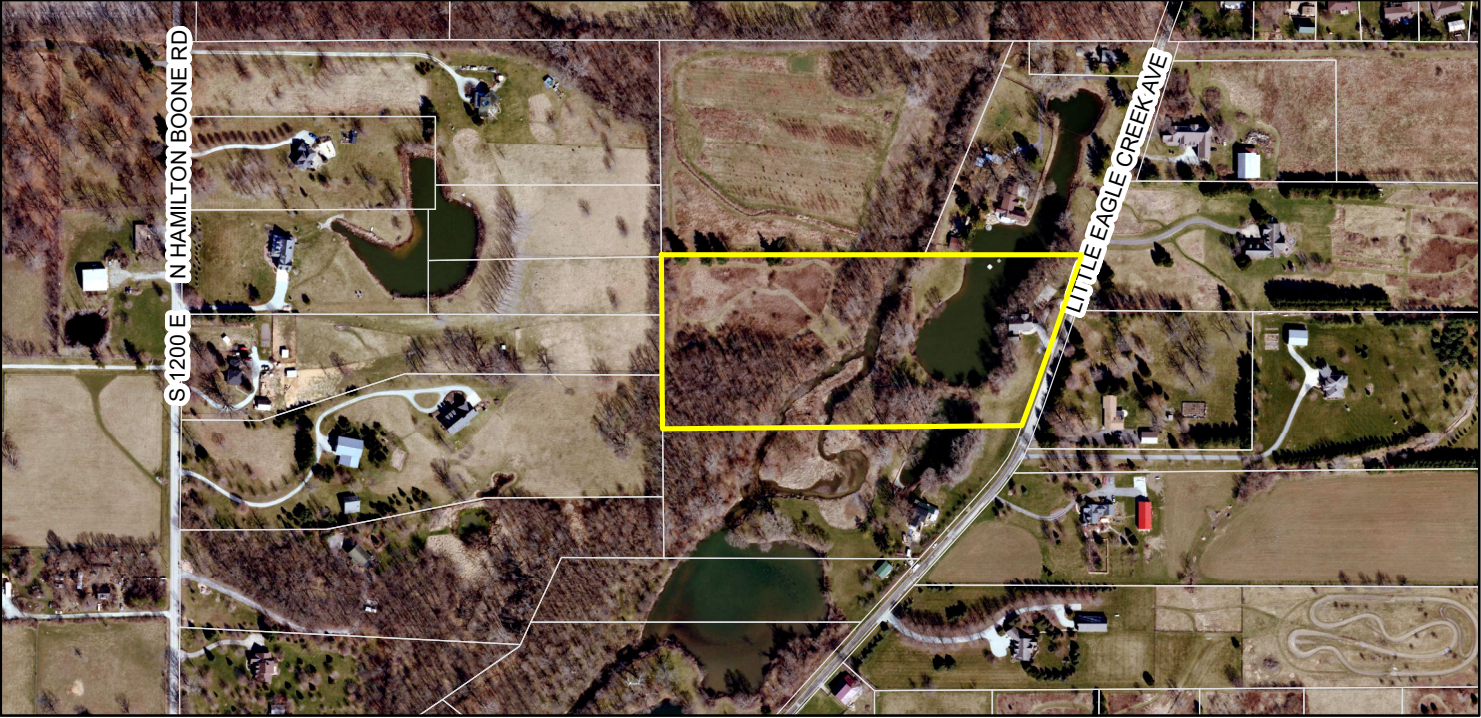
Denial: If the Board is inclined to deny either of the requested variances, then the Department recommends denying the variance, and then tabling the adoption of findings until the Board's next meeting with direction to the Department to prepare the findings consistent with the public hearing evidence and Board discussion.



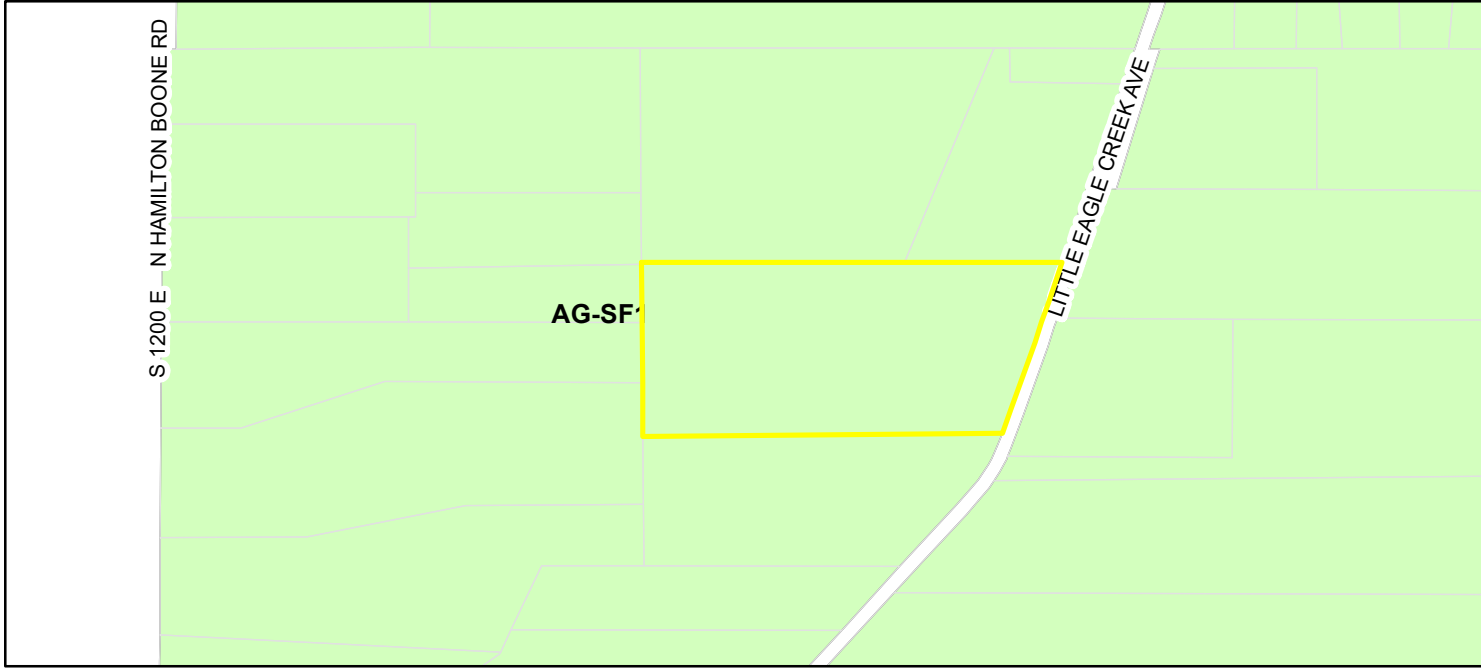
Property Location Map
14950 Little Eagle Creek Avenue
Variance of Development Standard
1905-VS-08



Aerial Location Map



Zoning Map



Parcel Zoning
Zoning - All AG-SF1 (Agriculture - Single Family - 1)

Index

- 1. SITE PLAN
- 2. FOUNDATION PLAN
- 3. FLOOR PLAN
- 4. ELEVATIONS
- 5. CROSS SECTION NORTH
- 6. CROSS SECTION WEST
- 7. ELECTRICAL

Location



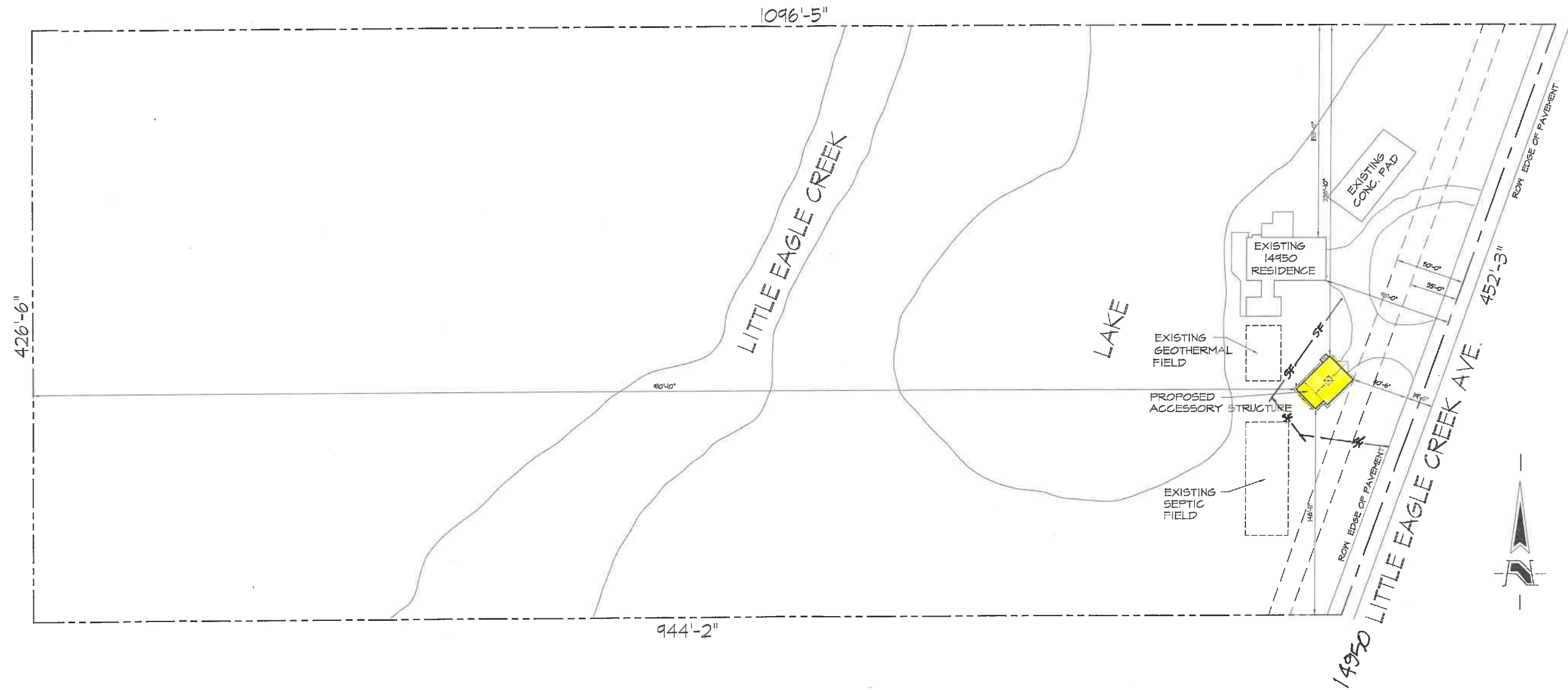
LORANT TRAUTMAN

◇ 14950 LITTLE EAGLE CREEK AVENUE ◇ . ◇ WESTFIELD, IN 46074 ◇

BFSMITH

LLC
Architects Builders

BFSMITH LLC
690 West Ash Street
Zionsville, Indiana 46077
(317) 733-2700



Parcel # 08-09-18-00-041.000

SITE PLAN

SCALE: 1"=80' (11"x17" SHEET SIZE)

REV.	DATE
RL6	12.30.18
RL6	03.03.19



LORANT TRAUTMAN

BFSMITH
LLC
Architects Builders

1

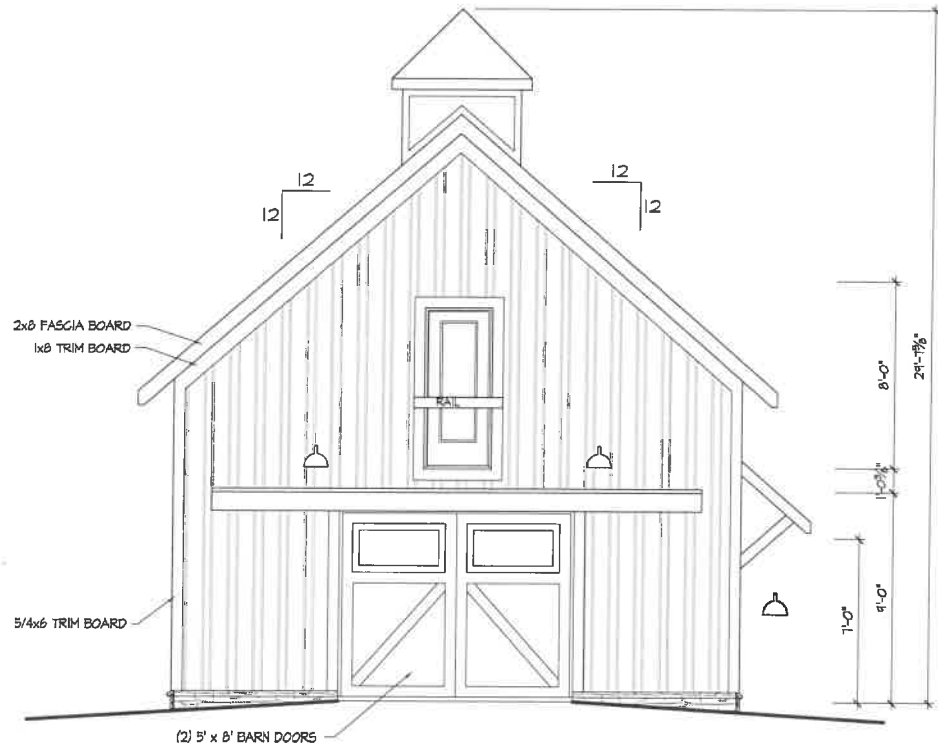






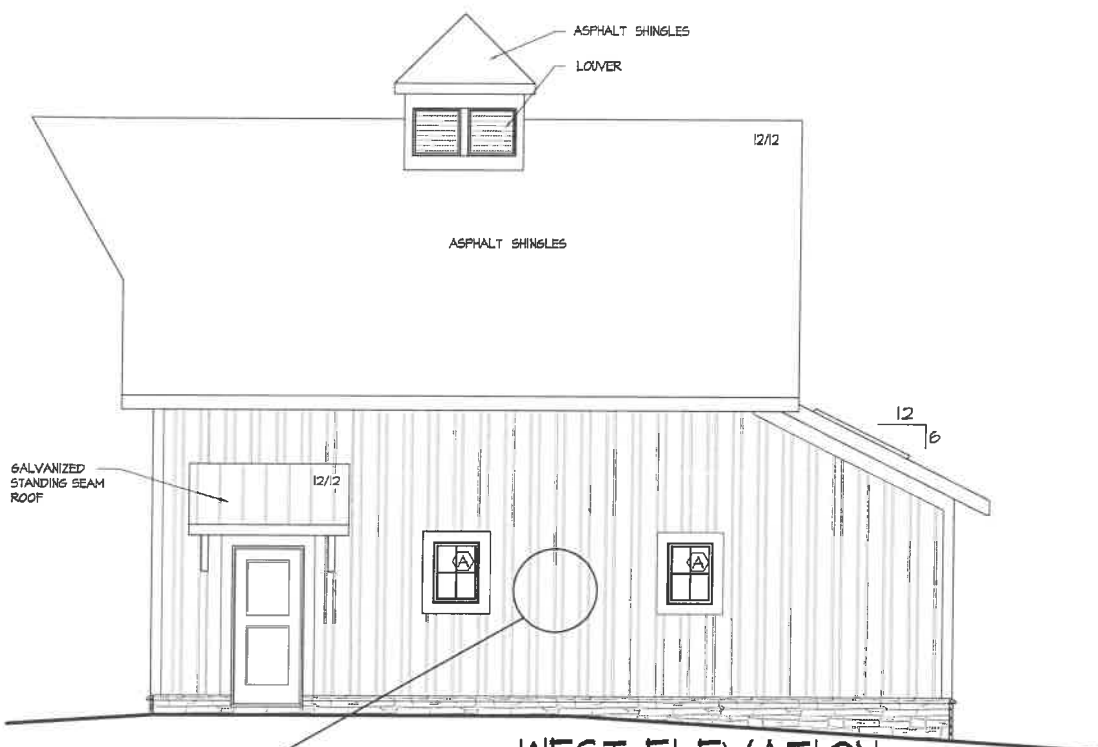


REV.	DATE
RL6	12.30.18
RL6	03.03.19



NORTH ELEVATION

SCALE: 1/8"=1'-0" (11"x17" SHEET SIZE)

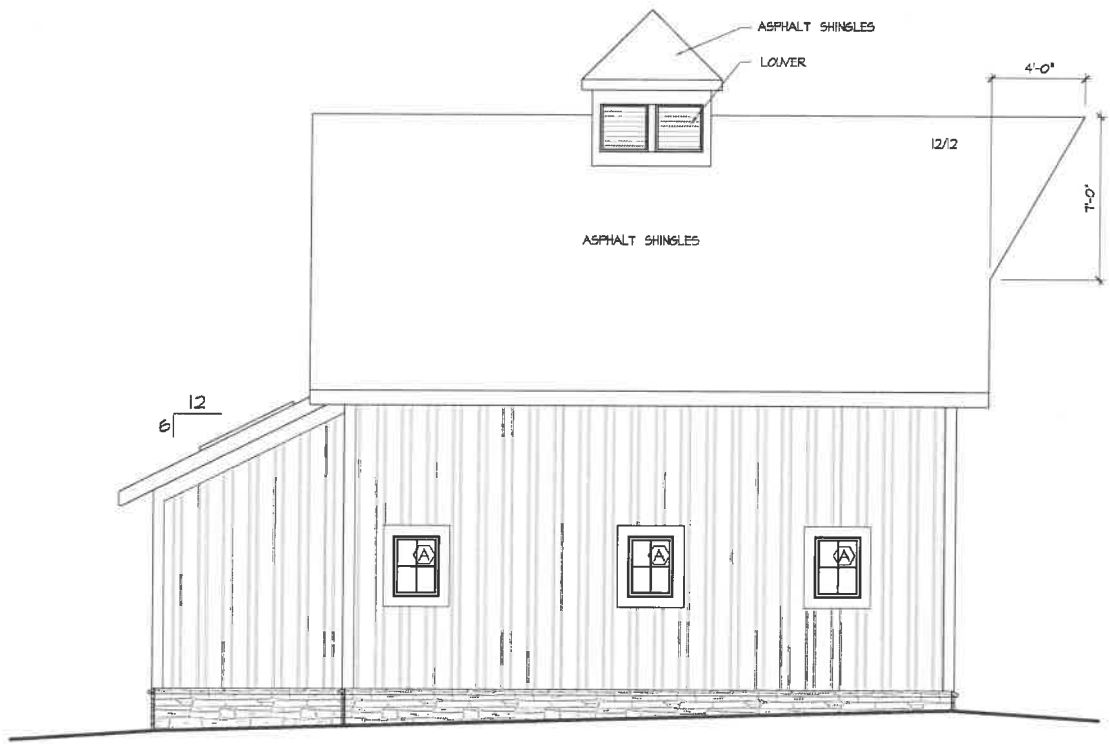


WEST ELEVATION

SCALE: 1/8"=1'-0" (11"x17" SHEET SIZE)

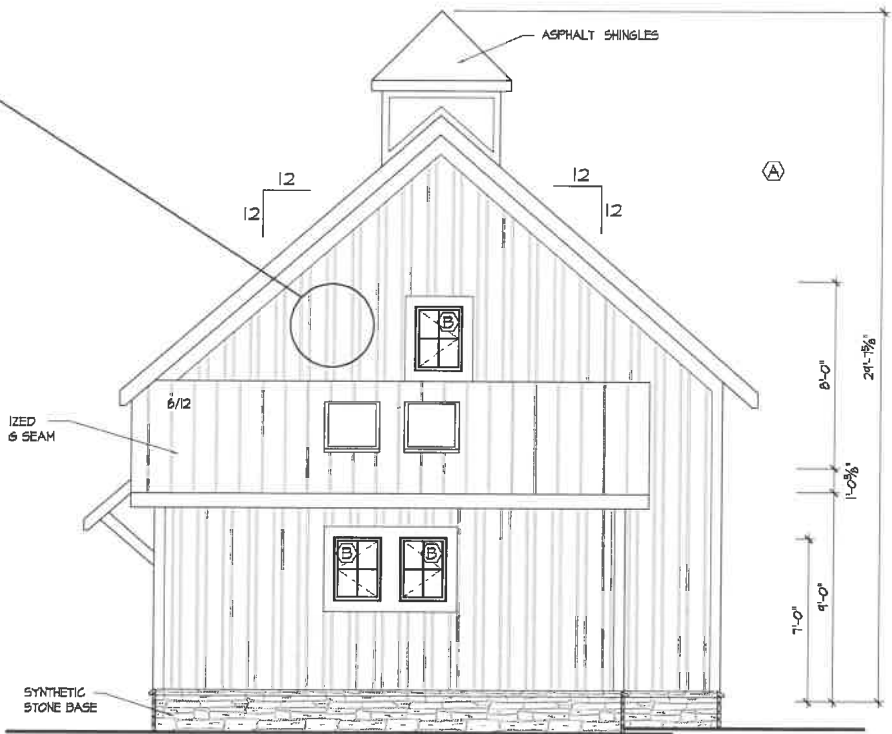


BOARD AND BATTEN SIDING



EAST ELEVATION

SCALE: 1/8"=1'-0" (11"x17" SHEET SIZE)



SOUTH ELEVATION

SCALE: 1/8"=1'-0" (11"x17" SHEET SIZE)

LORANT TRAUTMAN

BFSMITH
LLC
Architects Builders



WESTFIELD-WASHINGTON TOWNSHIP
BOARD OF ZONING APPEALS

May 14, 2019
1905-VS-09
Exhibit 1

Petition Number: 1905-VS-09

Subject Site Address: 207 E. 191st St. (the "Property")

Petitioner: Caitlin O'Dougherty (the "Petitioner")

Request: The Petitioner is requesting Variances of Development Standard to:
1) reduce the Minimum Lot Area, 2) reduce the Minimum Building Setback Line, and 3) reduce the Minimum Lot Frontage in the AG-SF1: Agriculture / Single-Family Rural District (Article 4.2(C), (D), and (E)(1)(a)).

Current Zoning: AG-SF1: Agriculture / Single-Family Rural District

Current Land Use: Agriculture / Residential

Approximate Acreage: 6.19 acres +/-

Exhibits:

1. Staff Report
2. Location Map
3. Proposed Plat
4. Concept Plan
5. Concept Building

Staff Reviewer: Caleb Ernest, Associate Planner

OVERVIEW

Location: The subject property is 6.19 acres +/- in size and located at 207 E. 191st Street (see **Exhibit 2**). The Property is zoned the AG-SF1: Agriculture / Single-Family Rural District. The Property currently contains agricultural buildings. The properties to the west and south are zoned the AG-SF1 District. The property to the east is zoned the GPEC Planned Unit Development (PUD) District. To the north is 191st Street.

Variance Requests: The Petitioner is requesting these variances to allow the platting of Property, as illustrated on the proposed plat (see **Exhibit 3**) and construction of a Single-family Dwelling¹ (see **Exhibits 4 and 5**).

SUMMARY OF VARIANCES

¹ Chapter 12 of the UDO defines "Dwelling, Single-family" as "A building containing one (1) Dwelling Unit being a minimum of twenty-three (23) feet wide, which does not share a common wall with any other Dwelling Unit and is surrounded on all sides by outside areas located on the same Lot (e.g., detached building)."

The Petitioner is requesting Variances of Development Standard to permit the subdividing of properties as shown in **Exhibit 3** and as further described below:

Lot 1

- 1) Reduce the Minimum Lot Area from three (3) acres to one (1) acre;
- 2) Reduce the Minimum Building Setback Line from one-hundred (100) feet to thirty (30) feet;

Lot 2

- 1) Reduce the Minimum Lot Frontage from two-hundred and fifty (250) feet to one-hundred and thirty-five (135) feet.

COMPREHENSIVE PLAN

The Westfield-Washington Township Comprehensive Plan identifies this property within the “New Suburban” land use classification.

PROCEDURAL

Public Notice: The Board of Zoning Appeals is required to hold a public hearing on its consideration of Variances of Development Standard. This petition is scheduled to receive its public hearing at the May 14, 2019, Board of Zoning Appeals meeting. Notice of the public hearing was properly advertised in accordance with Indiana law and the Board of Zoning Appeals’ Rules of Procedure.

Conditions: The UDO² and Indiana law provide that the Board of Zoning Appeals may impose reasonable conditions and limitations concerning use, construction, character, location, landscaping, screening, and other matters relating to the purposes and objectives of the UDO upon any Lot benefited by a variance as may be necessary or appropriate to prevent or minimize adverse effects upon other property and improvements in the vicinity of the subject Lot or upon public facilities and services. Such conditions shall be expressly set forth in the order granting the variance.

Acknowledgement of Variance: If the Board of Zoning Appeals approves this petition, then the UDO³ requires that the approval of the variance shall be memorialized in an acknowledgement of variance instrument prepared by the Department. The acknowledgement shall: (i) specify the granted variance and any commitments made or conditions imposed in granting of the variance; (ii) be signed by the Director, Property Owner and Applicant (if Applicant is different than Property Owner); and (iii) be recorded against the subject property in the Office of the Recorder of Hamilton County, Indiana. A copy of the recorded acknowledgement shall be provided to the Department prior to the issuance of any subsequent permit or commencement of uses pursuant to the granted variance.

² Article 10.14(I) Processes and Permits; Variances; Conditions of the UDO.

³ Article 10.14(K) Processes and Permits; Variances; Acknowledgement of Variance of the UDO.

Variances of Development Standard: The Board of Zoning Appeals shall approve or deny variances from the development standards (such as height, bulk, or area) of the underlying zoning ordinance. A variance may be approved under Indiana Code § 36-7-4-918.5 only upon a determination in writing that:

1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community;
2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner; and
3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the subject property.

[SEE FOLLOWING PAGES FOR DEPARTMENT COMMENTS]

DEPARTMENT COMMENTS

Approval: If the Board is inclined to approve the variances, then the Department recommends the following condition and findings:

Recommended Condition:

1. The Petitioner submits and records a Secondary Plat for the Property prior to the issuance of an Improvement Location Permit.

Recommended Findings for Approval of the Variance of Development Standard:

1. *The approval will not be injurious to the public health, safety, morals, and general welfare of the community:*

Finding: It is unlikely that approving the requested variance(s) would be injurious to the public health, safety, morals, and general welfare of the community as the creation of the Lots will accommodate enough land to build a Single-family Dwelling and the use of the property will not change. The creation of the Lots and Dwelling will comply with all other standards of the Unified Development Ordinance (UDO).

2. *The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner:*

Finding: It is unlikely the use and value of adjacent property will be affected in a substantially adverse manner. The proposed variance(s) should not have a negative impact on surrounding properties because the new Single-family Dwelling will increase the value of and is consistent with the surrounding properties. The creation of the Lots and Dwelling will comply with all other standards of the UDO.

3. *The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the subject property.*

Finding: Strict adherence to the zoning ordinance would result in the inability to subdivide the property for the creation of the Lots.

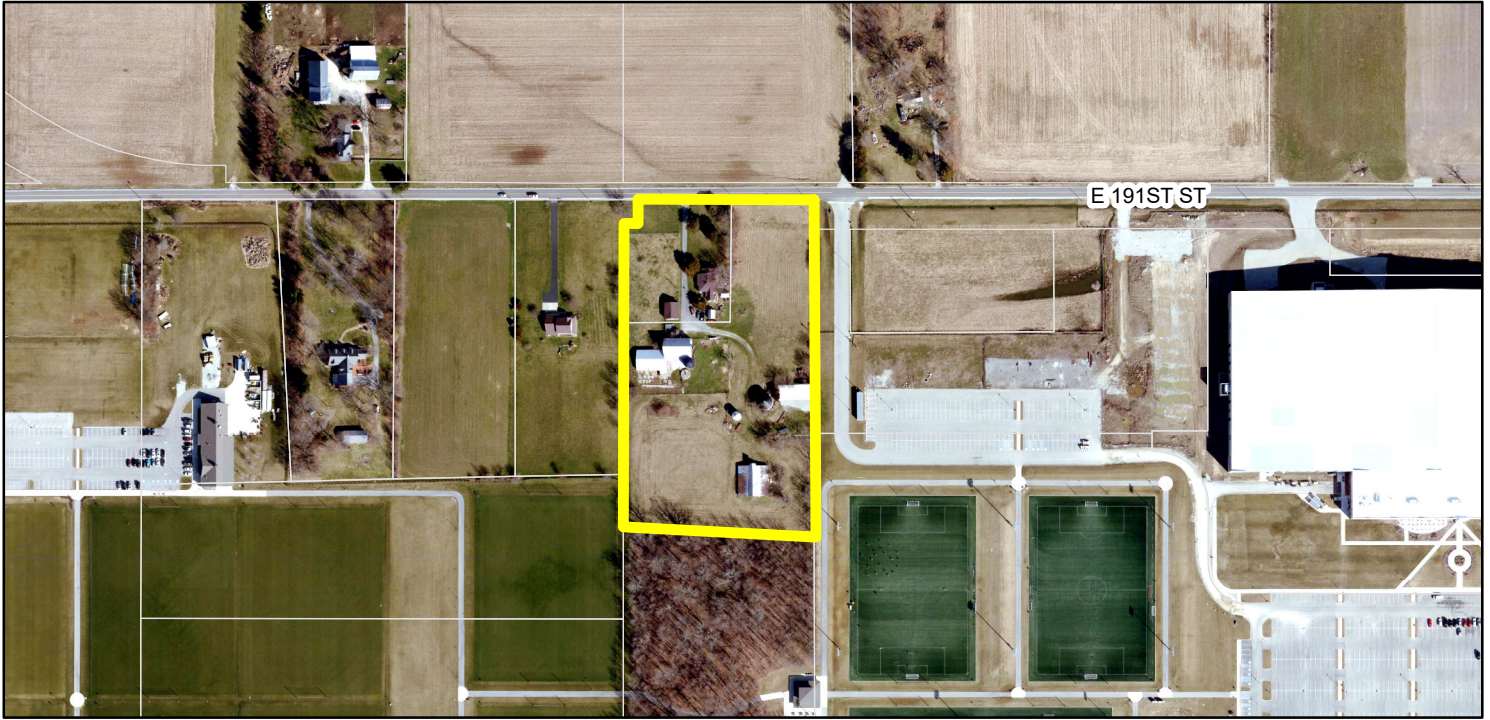
Denial: If the Board is inclined to deny either of the requested variances, then the Department recommends denying the variance, and then tabling the adoption of findings until the Board's next meeting with direction to the Department to prepare the findings consistent with the public hearing evidence and Board discussion.



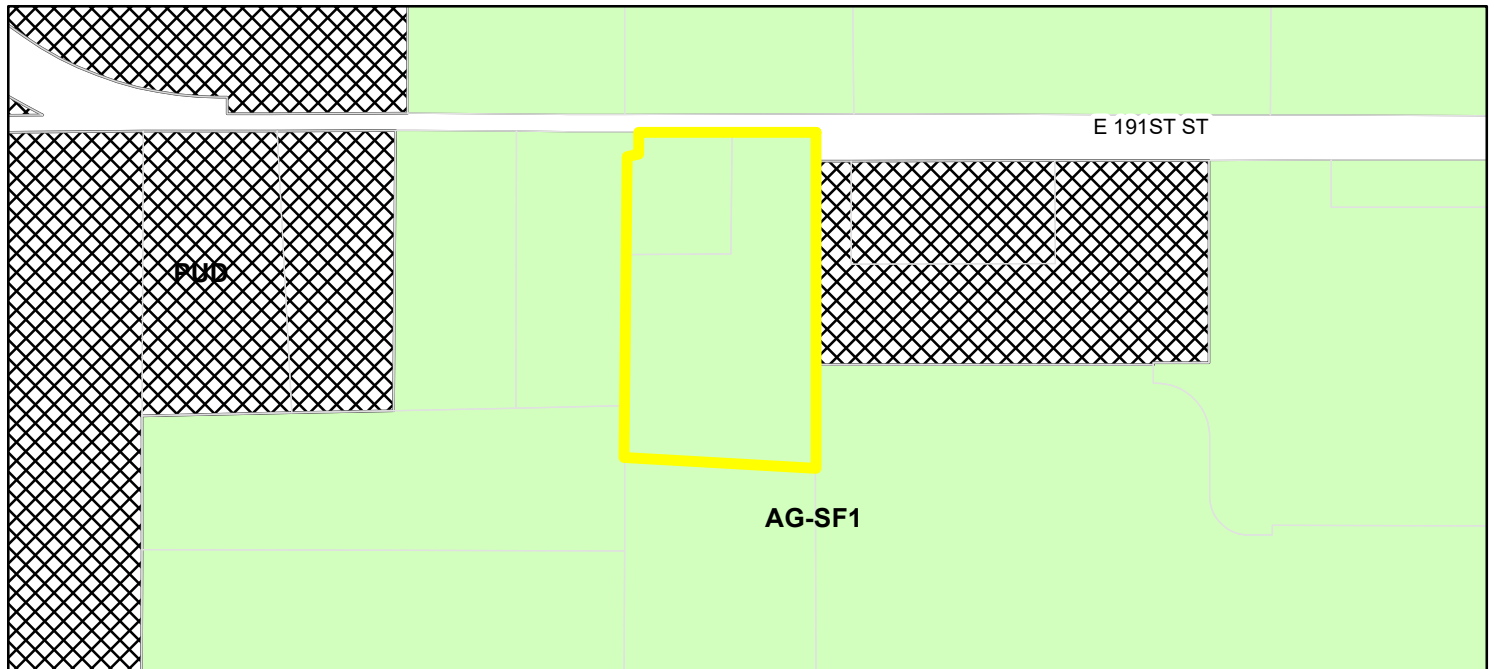
Property Location Map
207 E. 191st Street
Variance of Development Standard
1905-VS-09



Aerial Location Map



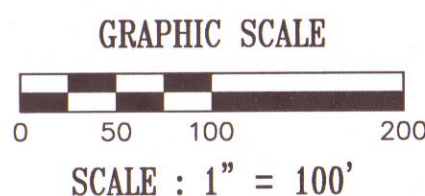
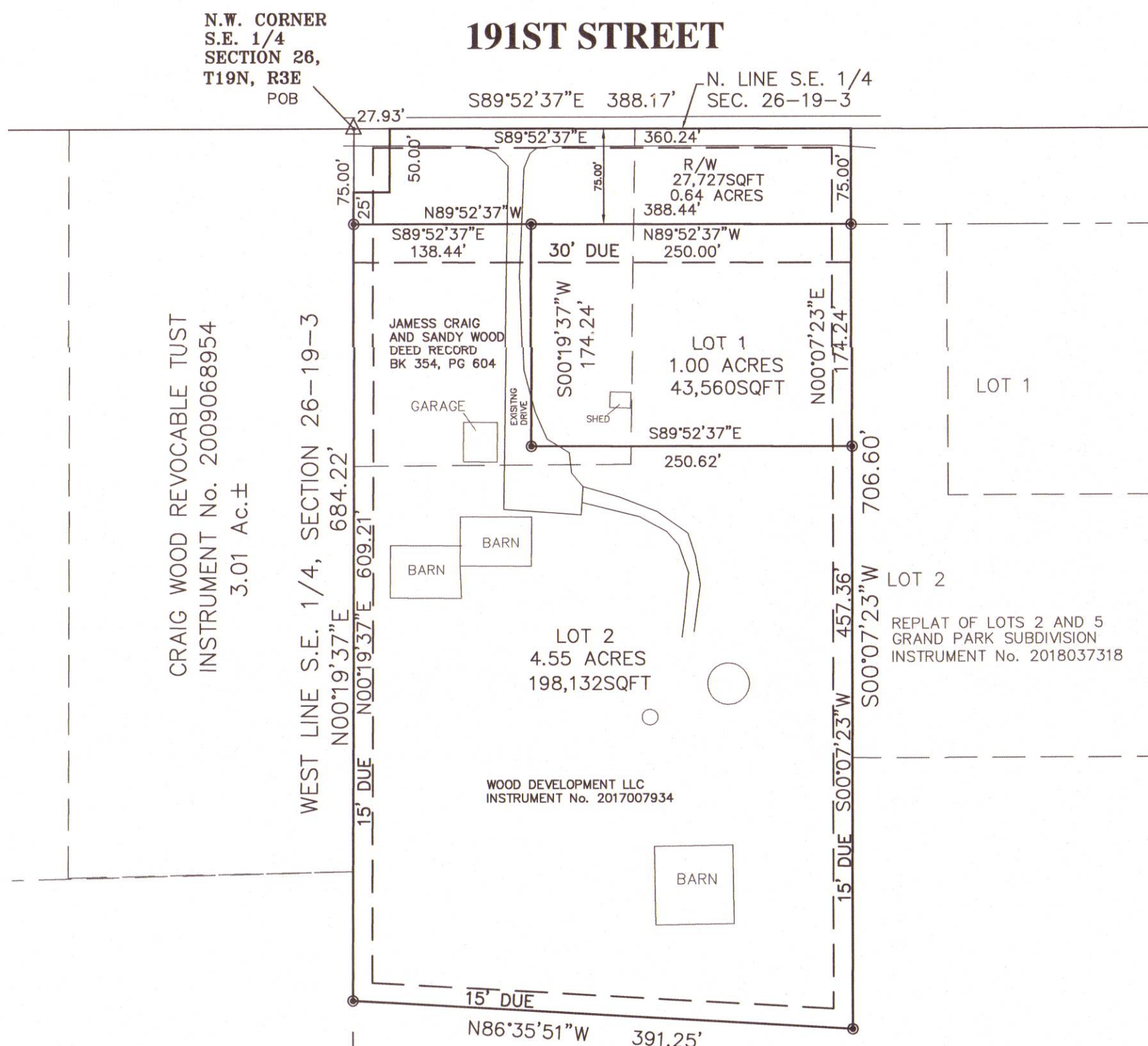
Zoning Map



- Parcel **Zoning**
- Zoning - All**
-  AG-SF1 (Agriculture - Single Family - 1)
 -  PUD (Planned Unit Development)

MINOR PLAT
CRAIG WOOD ESTATES

PART OF THE SOUTHEAST QUARTER, SECTION 26,
TOWNSHIP 19 NORTH, RANGE 3 EAST HAMILTON COUNTY, INDIANA



OWNER / SUBDIVIDER /
DEVELOPER

JAMESS CRAIG
AND SANDY WOOD
167 E 191st St
Westfield, IN 46074

SOURCE OF TITLE

JAMESS CRAIG
AND SANDY WOOD
DEED RECORD
BK 354, PG 604

WOOD DEVELOPMENT LLC
INSTRUMENT No. 2017007934

SURVEYOR

THIS INSTRUMENT PREPARED BY:
K. NATHAN ALTHOUSE
MILLER SURVEYING, INC.
948 CONNER STREET
NOBLESVILLE, IND. 46060
Ph 773-2644 Fx 773-2694
DATE: APRIL 26, 2019
Job No. B38404

LEGEND

- R/W RIGHT-OF-WAY
● 5/8" IRON ROD WITH
YELLOW CAP STAMPED
"MILLER S0083" SET
BL BUILDING SET BACK LINE
DUE DRAINAGE AND UTILITY EASEMENT
IE & E INGRESS AND EGRESS EASEMENT
RDE = 75' EASEMENT EACH SIDE OF THE
CENTERLINE OF A TILE DRAIN,
75' EASEMENT FROM THE TOP OF
BANK OF EACH SIDE OF A OPEN DRAIN

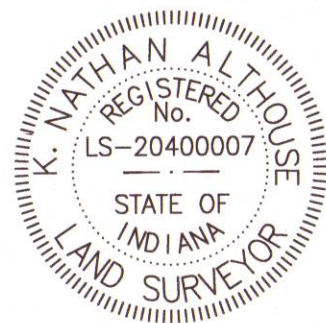
ZONE

- AG-SF1
Decorative signs, sprinkler systems, trees,
landscaping mounds, fences, light poles or other such
amenities are not permitted with
in the RW.

FLOOD ZONE DEFINITION

ZONE	EXPLANATION
"X"	AREAS DETERMINED TO BE OUTSIDE 500-YEAR FLOODPLAIN.

THE SUBJECT PROPERTY IS LOCATED IN A SPECIAL FLOOD
HAZARD AREA AS ESTABLISHED BY THE FEDERAL EMERGENCY
MANAGEMENT AGENCY NATIONAL FLOOD INSURANCE PROGRAM
AS PER SCALED INTERPRETATION OF FLOOD RATE MAP
#18057C0109G. AREA IN ZONE "X" MAP DATED 11-19-2014.



WITNESS MY SIGNATURE THIS 26TH DAY OF APRIL 2019

K. Nathan Althouse

K. NATHAN ALTHOUSE, PLS
PROFESSIONAL LAND SURVEYOR No. LS 20400007
STATE OF INDIANA

I AFFIRM, UNDER THE PENALTIES FOR PERJURY, THAT I HAVE TAKEN
REASONABLE CARE TO REDACT EACH SOCIAL SECURITY NUMBER IN THE
DOCUMENT, UNLESS REQUIRED BY LAW. (KEITH NATHAN ALTHOUSE)

MINOR PLAT
CRAIG WOOD ESTATES

PART OF THE SOUTHEAST QUARTER, SECTION 26,
TOWNSHIP 19 NORTH, RANGE 3 EAST HAMILTON COUNTY, INDIANA

LAND DESCRIPTION

DESCRIPTION OF REAL ESTATE:

PART OF SECTION 26, TOWNSHIP 19 NORTH, RANGE 3
EAST LOCATED IN HAMILTON COUNTY, INDIANA, BEING
DESCRIBED AS FOLLOWS:
BEGINNING AT THE NORTHWEST CORNER OF THE
SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP 19
NORTH, RANGE 3 EAST THENCE ON THE NORTH LINE OF
SAID SOUTHEAST QUARTER SOUTH 89 DEGREES 52
00 DEGREES 07 DEGREES 23 SECONDS WEST 706.60 FEET;
THENCE NORTH 86 DEGREES 35 MINUTES 51 SECONDS
WEST 391.25 FEET; THENCE NORTH 00 DEGREES 19
MINUTES 37 SECONDS EAST 684.22 FEET TO THE POINT OF
BEGINNING, CONTAINING 6.22 ACRES, MORE OR LESS.

CERTIFICATE OF SURVEY

THIS SUBDIVISION CONSISTS OF 2 LOTS NUMBERED LOT 1, AND 2.

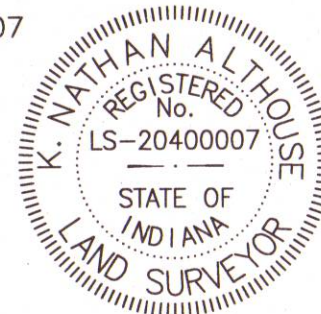
THE SIZE OF LOTS AND WIDTH OF STREET ARE SHOWN IN FEET AND
DECIMAL PARTS THEREOF.

I, K. NATHAN ALTHOUSE, THE UNDERSIGNED CERTIFY THAT I AM A
REGISTERED LAND SURVEYOR, LICENSED IN COMPLIANCE WITH THE LAWS
OF THE STATE OF INDIANA AND THAT THE WITHIN PLAT REPRESENTS A
SUBDIVISION OF THE LANDS SURVEYED WITHIN THE CROSS REFERENCED
SURVEY PLAT, AND THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF
THERE HAS BEEN NO CHANGE FROM THE MATTERS OF THE SURVEY
REVEALED BY THE CROSS-REFERENCE SURVEY AND ANY LINES THAT ARE
COMMON WITH THE NEW SUBDIVISION.

WITNESS MY SIGNATURE THIS 26TH DAY OF APRIL 2019.

K. Nathan Althouse

K. NATHAN ALTHOUSE, PLS
PROFESSIONAL LAND SURVEYOR No. LS 20400007
STATE OF INDIANA



OWNER / SUBDIVIDER /
DEVELOPER

JAMESS CRAIG
AND SANDY WOOD
167 E 191st St
Westfield, IN 46074

SOURCE OF TITLE

JAMESS CRAIG
AND SANDY WOOD
DEED RECORD
BK 354, PG 604

WOOD DEVELOPMENT LLC
INSTRUMENT No. 2017007934

SURVEYOR

THIS INSTRUMENT PREPARED BY:
K. NATHAN ALTHOUSE
MILLER SURVEYING, INC.
948 CONNER STREET
NOBLESVILLE, IND. 46060
Ph 773-2644 Fx 773-2694
DATE: APRIL 26, 2019
Job No. B38404

DEED OF CERTIFICATE

THE UNDERSIGNED JAMESS CRAIG AND SANDY WOOD AND WOOD DEVELOPMENT LLC,
OWNER OF THE REAL ESTATE SHOWN HEREIN AND RECORDED IN THE OFFICE OF THE
RECORDER OF HAMILTON COUNTY, INDIANA AS

JAMESS CRAIG AND SANDY WOOD, DEED RECORD BK 354, PG 604

WOOD DEVELOPMENT LLC, INSTRUMENT No. 2017007934

DO HEREBY CERTIFY THAT WE HAVE LAID OFF, PLATTED AND SUBDIVIDED AND DO HEREBY LAY
OFF, PLAT AND SUBDIVIDE SAID REAL ESTATE IN ACCORDANCE WITH THE WITHIN PLAT.

THIS SUBDIVISION SHALL BE KNOWN AND DESIGNATED AS CRAIG WOOD ESTATES

IN TESTIMONY WHEREOF, WITNESS THE SIGNATURES OF OWNER AND DECLARANT

THIS ____ DAY OF _____, 2019.

JAMESS CRAIG AND SANDY WOOD
DEED RECORD BK 354, PG 604

WOOD DEVELOPMENT LLC
INSTRUMENT No. 2017007934

STATE OF INDIANA)
COUNTY OF HAMILTON) SS

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE,
PERSONALLY APPEARED AND ACKNOWLEDGED THE EXECUTION OF THE INSTRUMENT AS HIS
VOLUNTARY ACT AND DEED AND AFFIX HIS SIGNATURE THERETO.

WITNESS MY SIGNATURE AND SEAL THIS ____ DAY OF _____ 2019

NOTARY PUBLIC

PRINTED NAME

COUNTY OF RESIDENCE: _____
MY COMMISSION EXPIRES: _____



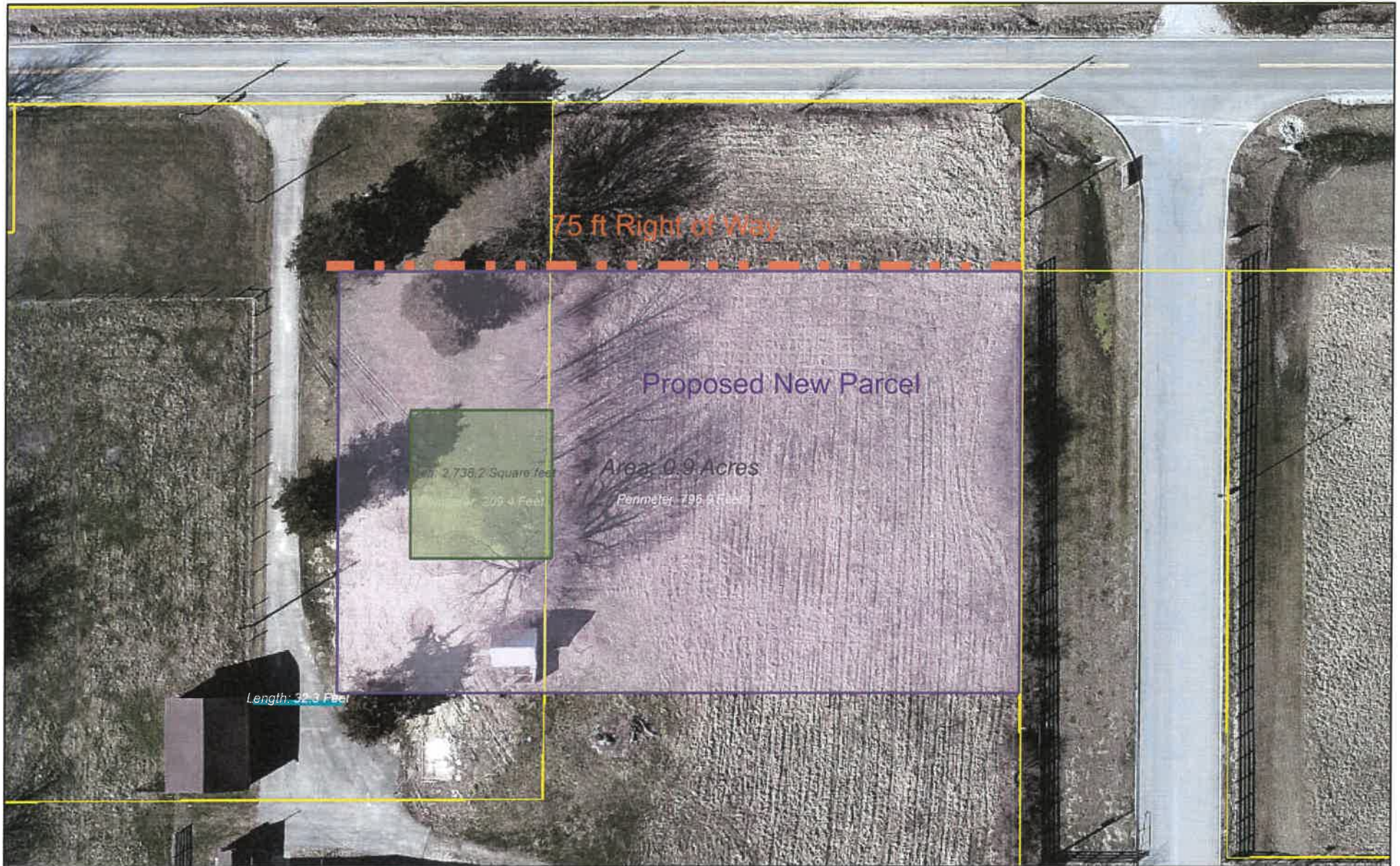
PLAN COMMISSION CERTIFICATE

UNDER AUTHORITY PROVIDED BY I.C. 36-7, ENACTED BY THE GENERAL ASSEMBLY OF
THE STATE OF INDIANA, AND ALL ACTS AMENDATORY THERETO, AND AN ORDINANCE
ADOPTED BY THE CITY COUNCIL OF THE CITY OF WESTFIELD, HAMILTON COUNTY,
INDIANA, THIS PLAT WAS GIVEN APPROVAL BY THE WESTFIELD-WASHINGTON
TOWNSHIP ADVISORY PLAN COMMISSION, AS FOLLOWS:

APPROVED BY THE DIRECTOR OF THE ECONOMIC AND COMMUNITY DEVELOPMENT
DEPARTMENT OF THE CITY OF WESTFIELD, HAMILTON COUNTY, INDIANA, PURSUANT TO
THE WESTFIELD-WASHINGTON TOWNSHIP UNIFIED DEVELOPMENT ORDINANCE, ON THE
____ DAY OF _____
WESTFIELD-WASHINGTON TOWNSHIP PLAN COMMISSION

BY: _____
MATT SKELTON, DIRECTOR
ECONOMIC AND COMMUNITY DEVELOPMENT DEPARTMENT

City of Westfield ArcGIS Online Map



3/28/2019, 10:15:36 PM

Areas

Lines



Parcel Boundary (public)



Override 1



Override 1

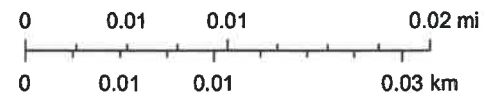


Override 2



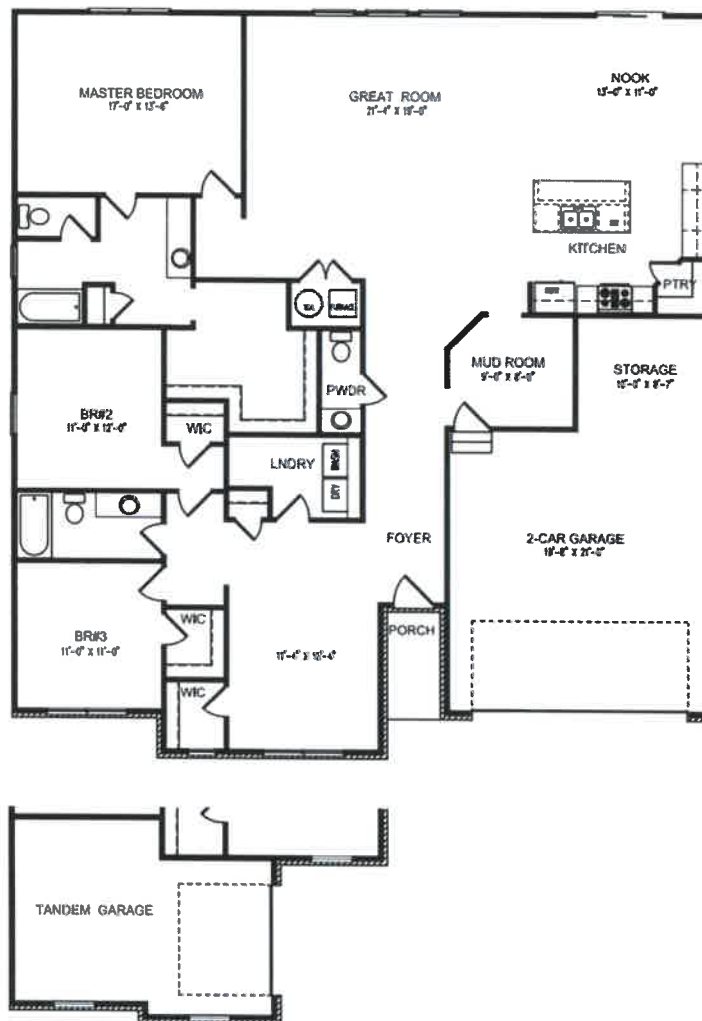
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1:600





Tudor with Tandem Garage



Optional Tandem Garage



Westfield–Washington Township Board of Zoning Appeals
Minutes of the April 9, 2019 BZA Meeting
Presented for approval: May 14, 2019

The Westfield-Washington Township Board of Zoning Appeals met at 7:00 p.m.
on Tuesday, April 9, 2019 at Westfield City Hall.

Members Present: Jeannine Fortier, Martin Raines, Dave Schmitz, and Robert Smith.

Members Absent: Ken Kingshill.

City staff present: Pam Howard, Senior Planner; Daine Crabtree, Associate Planner; Jonathan Dorsey, Associate Planner; and Brian Zaiger, City Attorney.

APPROVAL OF MINUTES

Motion:

Smith motioned to approve the March 12, 2019 meeting minutes as written.

Raines seconded. Motion passed. Vote 4-0

REVIEW RULES AND PROCEDURES

Howard reviewed BZA rules and procedures.

ITEMS OF BUSINESS:

1904-VS-06

[PUBLIC HEARING]

111 East 156th Street

John L. & Mary B. Speidel

The petitioner is requesting a Variance of Development Standard to reduce the Minimum Lot Frontage on 18.5 acres +/- in the AG-SF1: Agricultural / Single-Family Residential District (Article 4.2(D)).

(Planner: Jonathan Dorsey - JDorsey@westfield.in.gov)

Dorsey overviewed this request for a Variance of Development Standard. He indicated one comment had been received and included in the BZA packets.

Schmitz inquired about the process of platting.

Dorsey responded it would an internal process of minor platting.

Public Hearing for 1904-VS-06 opened at 7:09 p.m.

Craig Dedon, 15517 Viking Crusader Court; asked if it would be proper to see the proposed purchaser's final plan prior to approving this request.

Schmitz responded that this request is related only to the lot frontage; however, staff could be of future assistance.

Amy Henderson, 15232 Valleyview Drive; asked if neighbors will be notified of additional steps in the process.

Schmitz responded that if a public Hearing is to take place the neighbors would be notified. He said that staff can offer assistance as well.

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Jonathan Acker, 15667 Viking Commander Way; stated concerns about this property developing into neighborhood as it will decrease his property value.

Public Hearing for 1904-VS-06 closed at 7:14 p.m.

The petitioners, John L. & Mary B. Speidel spoke to the details of the request. Mr. Speidel stated he just wants to divide the property to sell the parcels.

Wyatt Johnson, engineer for the petitioners asked if the conditions, if approved, run with the land. He stated that the petitioners and the proposed buyer agree to the conditions.

Motion:

Smith motioned to approve 1904-VS-06 with the following staff conditions.

- The lots shall be subdivided in substantial compliance with the Site Plan Exhibit attached to the Staff Report.
- That any new construction on the lots be substantially similar to the Character Exhibits attached to the Staff Report.

Fortier seconded. Motion passed. Vote 3-1. (Raines)

Motion:

Smith motioned to adopt the Findings of Fact for 1904-VS-06.

Fortier seconded. Motion passed. Vote 4-0.

1904-VS-07

[PUBLIC HEARING]

17827 Commerce Drive

JCF Commerce, LLC

The petitioner is requesting a Variance of Development Standard related to the permitted building materials and facade offsets for a previously approved 11,700 square foot industrial building (0901-DP-01) on 2.41 acres +/- in the EI: Enclosed Industrial District (Article 6.3(G)(2)(a)(i - iii)).

(Planner: Daine Crabtree – DCrabtree@westfield.in.gov)

Crabtree overviewed this request for a Variance of Development Standard stating that the petitioner wished to alter the original DDP from 2009.

Schmitz asked if this proposed building would be similar to the most recently approved structure in this business park.

Crabtree replied yes.

The petitioner, JR Frieburger, addressed his plans to make this proposed building more useful to future tenants and to design it to be comparable to others in the business park.

Public Hearing for 1904-VS-07 opened at 7:25 p.m.

No public comments.

Public Hearing for 1904-VS-07 closed at 7:26 p.m.

No BZA comments.

Motion:

Raines motioned to approve 1904-VS-07 with the following staff conditions.

- That the Variances of Standard granted shall apply only to the proposed 11,700 square foot building and no other building on the Property.

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- That the Proposed Building be designed in substantial compliance with the elevations depicted in Exhibit 5.
 - That the Petitioner shall record an acknowledgement of this approval with the County Recorder's Office and return a copy of the recorded instrument to the Economic and Community Development Department.
- Smith seconded. Motion passed. Vote 4-0.

Motion:

Raines motioned to adopt the Findings of Fact for 1904-VS-07.
Smith seconded. Motion passed. Vote 4-0.

ITEMS CONTINUED TO A FUTURE MEETING:

16708 Dean Road (Bob's Garage)

Esler Properties, LLC by Morse & Bickel, P.C.

The petitioner is appealing an Administrative Determination (1712-AD-04) regarding the revocation of a variance (1603-VU-03).

(Planner: Pam Howard - PHoward@westfield.in.gov)

REPORTS/COMMENTS:

- Plan Commission Liaison
- Economic and Community Development Department

ADJOURNMENT

Motion:

Raines motioned to adjourn the meeting.
Fortier seconded. Motion passed. Vote 4-0.

The meeting adjourned at 7:30 p.m.

Chairperson
Dave Schmitz

Secretary
Matthew S. Skelton, Esq., AICP
Director